

United States District Court

Eastern District of California

12 Jose Alfredo Soto,

13 Petitioner, No. Civ. S 04-2122 MCE PAN P

14 vs. Order

15 D. Adams,

16 Respondent.

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18 June 2, 2005, the court found petitioner's habeas
19 application contained both exhausted and unexhausted claims and
20 gave him 60 days to file an amended petition containing only
21 exhausted claims and a motion to hold this matter in abeyance.

22 July 25, 2005, petitioner filed an amended petition and a
23 motion to hold this action in abeyance but a different prisoner
24 purports to represent petitioner on the motion.

25 A party appearing pro se may not delegate his appearance to
26 any other person. L.R. 83-183(a). Only an attorney admitted to

1 practice in this court who has appeared on petitioner's behalf
2 may represent petitioner and accept service of papers for him.
3 L.R. 5-137(b), 83-180(a), 83-182(a). Petitioner makes no showing
4 his "jailhouse lawyer" satisfies these requirements.

5 Accordingly, petitioner's July 25, 2005, motion is denied
6 without prejudice to petitioner filing a motion to stay this
7 action within 30 days of the date this order is signed.

8 So ordered.

9 Dated: November 22, 2005.

10 /s/ Peter A. Nowinski
11 PETER A. NOWINSKI
12 Magistrate Judge
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